

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**KIMBERLY KAPP, individually and as mother
and next friend of minor, B.K.**

PLAINTIFFS

v.

CIVIL ACTION NO.: 1:08-CV-2-HSO-JMR

**Frank Schiavi, M.D., an individual, and; Living
Waters Community Medical Center, PLLC, a
Mississippi Professional Limited Liability Company;
Hung T. Nguyen, M.D., an individual; and
Hancock Medical Center, a non-profit Mississippi
Corporation.**

DEFENDANTS

AGREED ORDER OF DISMISSAL

CAME ON for hearing on the motion of the Plaintiffs to dismiss all claims against Hancock Medical Center with prejudice and the Court, being advised that the Plaintiffs and Defendant, Hancock Medical Center, have settled all the disputes with regard to the claims that pertained to Hancock Medical Center, finds that the motion is well-taken and should be granted.

It is therefore,

ORDERED AND ADJUDGED that any and all of the Plaintiffs' claims against Hancock Medical Center are hereby dismissed with prejudice with the parties' to bear their own costs.

SO ORDERED this the 3rd day of September, 2009.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE

APPROVED AND AGREED:

S/Apsilah Owens Millsaps
Apsilah Owens Millsaps, PHV
Attorney for Plaintiffs

S/ Robert Smith

Robert Smith
Attorney for Plaintiffs
MS Bar No.: 7595

Agreed, Prepared and Submitted by:

/s/ Shellye V. McDonald

Shellye V. McDonald
MS Bar No.: 2395
Attorney for Defendant
Hancock Medical Center